

**COURT OF APPEAL
STATE OF CALIFORNIA
THIRD APPELLATE DISTRICT**

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Court Minutes

November 2, 2009

- C052984 THE PEOPLE v. (Not For Publication)**
CLARENCE DANIELS et al.
Clarence's conviction on count 5 (possession of stolen property) is reversed. In all other respects, the judgments are affirmed. The trial court is directed to correct the abstracts of judgment to reflect that the sentence for each defendant on count 4 is concurrent, rather than consecutive, and (as to Clarence only) to reflect the reversal of the conviction on count 5. The trial court is further directed to forward a certified copy of each amended abstract to the Department of Corrections and Rehabilitation.
ROBIE, J.
We Concur: Scotland, P.J.
Sims, J.
- C058001 THE PEOPLE v. (Not For Publication)**
ANTONIO GARCIA-SANCHEZ
The judgment is affirmed.
BUTZ, J.
We Concur: Blease, Acting P.J.
Robie, J.
- C058883 THE PEOPLE v. (Certified For Publication)**
HERBERT AARON KATZENBERGER
The judgment is affirmed.
CANTIL-SAKAUYE, J.
We Concur: Blease, Acting P.J.
Nicholson, J.
- C059680 THE PEOPLE v. KIM STANLEY LEE (Not For Publication)**
The judgment is affirmed.
ROBIE, J.
We Concur: Blease, Acting P.J.
Cantil-Sakauye, J.
- C060485 THE PEOPLE v. DANIEL McROBERTS (Certified For Publication)**
The order of civil commitment is affirmed.
NICHOLSON, J.
We Concur: Scotland, P.J.
Robie, J.

**COURT OF APPEAL
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Court Minutes

November 2, 2009, Continued

- C057688 M & M INSTALLATIONS, INC. v. (Not For Publication)**
COOK BROWN et al.
The judgment is affirmed. Costs on appeal are awarded to respondents.
(Cal. Rules of Court, rule 8.278 (a) .)
CANTIL-SAKAUYE, J.
We Concur: Raye, Acting P.J.
Robie, J.
- C059749 In re the Marriage of MICHAEL G. (Not For Publication)**
CARDOZA and CATHY I. CARDOZA
CARDOZA v. GRIPPANDO
The judgment is affirmed. The parties shall bear their own costs on
appeal, if any. (Cal. Rules of Court, rule 8.278 (a) (5) .)
SIMS, Acting P.J.
We Concur: Hull, J.
Butz, J.
- C055800 ADAMS v. ROBERT MONDAVI WINERY (Not For Publication)**
WOODBIDGE et al.
THE COURT:
It is ordered that the opinion filed herein on October 5, 2009, be
modified...
There is no change in the judgment.
Appellant's petition for rehearing is denied.
SCOTLAND, P.J.
Hull, J.
Cantil-Sakauye, J.

November 3, 2009

- C059164 THE PEOPLE v. JOSEPH LOPEZ (Not For Publication)**
The judgment is affirmed.
HULL, J.
We Concur: Sims, Acting P.J.
Butz, J.

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Court Minutes

November 3, 2009, Continued

- C059188 THE PEOPLE v. (Not For Publication)**
MANUEL MAGANA MONTES
- The judgment is reversed with these directions: If the People do not bring the defendant to trial within 60 days after the filing of the remittitur in the trial court pursuant to Penal Code section 1382, subdivision (a) (2), the trial court shall proceed as if the remittitur constitutes a modification of the judgment to reflect a conviction of simple escape in violation of Penal Code section 4532, subdivision (b), and shall resentence defendant accordingly.
- HULL, J.
- We Concur: Raye, Acting P.J.
 Robie, J.
- C057498 BUCHANAN v. CAPITOL RACING, (Not For Publication)**
LLC, et al.
- The judgment is affirmed. Costs on appeal are awarded to respondents. (Cal. Rules of Court, rule 8.278 (a) .)
- CANTIL-SAKAUYE, J.
- We Concur: Blease, Acting P.J.
 Nicholson, J.
- C056118 KARY v. STEVENS**
BY THE COURT:
- Appellant's petition for rehearing is denied.
 SCOTLAND, P.J.

November 4, 2009

- C059097 THE PEOPLE v. (Not For Publication)**
KEENAN LEE WOODSSPARKS
- The judgment is affirmed.
- ROBIE, J.
- We Concur: Blease, Acting P.J.
 Cantil-Sakauye, J.
- C059739 THE PEOPLE v. (Not For Publication)**
ARTHUR MILTON COLSON
- The judgment is modified to reduce the fines as stated. ... As modified, the judgment is affirmed.
- ROBIE, J.
- We Concur: Blease, Acting P.J.
 Cantil-Sakauye, J.

**COURT OF APPEAL
STATE OF CALIFORNIA
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Court Minutes

November 4, 2009, Continued

- C060084 THE PEOPLE v. (Not For Publication)**
EDWARD PETER FERREIRA, JR.
The judgment is affirmed.
ROBIE, J.
We Concur: Blease, Acting P.J.
Cantil-Sakauye, J.
- C060155 THE PEOPLE v. (Not For Publication)**
EUGENE JACOB McBRIDE
The judgment is affirmed.
ROBIE, J.
We Concur: Scotland, P.J.
Nicholson, J.
- C060385 THE PEOPLE v. SHERMAN JOHNSON (Not For Publication)**
The judgment is affirmed. The trial court is directed to correct the abstract of judgment by deleting the \$242.29 booking fee and the \$27.22 classification fee. The court shall forward a certified copy of the corrected abstract of judgment to the Department of Corrections and Rehabilitation.
BLEASE, Acting P.J.
We Concur: Nicholson, J.
Cantil-Sakauye, J.
- C061138 THE PEOPLE v. (Not For Publication)**
LARRY LYNN GANNER
The judgment is affirmed.
ROBIE, J.
We Concur: Nicholson, Acting P.J.
Butz, J.
- C062273 THE PEOPLE v. (Not For Publication)**
JOSEPH GEORGE SENCION
The judgment is affirmed.
ROBIE, J.
We Concur: Blease, Acting P.J.
Hull, J.

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Court Minutes

November 4, 2009, Continued

- C058958** **MARINOS et al. v.** **(Not For Publication)**
C060844 **CITY OF ROCKLIN et al.**
The judgment and the attorney fees order are affirmed. The city and the Boroskis shall recover their costs on appeal.
(Cal. Rules of Court, rule 8.278 (a) (1) .)
ROBIE, J.
We Concur: Blease, Acting P.J.
Butz, J.
- C060085** **In re C.A.; THE PEOPLE v. C.A.** **(Not For Publication)**
The juvenile court's findings and dispositional orders are set aside. ...
BLEASE, Acting P.J.
We Concur: Nicholson, J.
Cantil-Sakauye, J.
- C060113** **in re Ka. V. et al.; SAN JOAQUIN COUNTY** **(Not For Publication)**
HUMAN SERVICES AGENCY v. A.S.
The juvenile court's order is affirmed.
SIMS, J.
We Concur: Blease, Acting P.J.
Butz, J.
- C061252** **In re L.H. et al.; SACRAMENTO COUNTY** **(Not For Publication)**
DEPARTMENT OF HEALTH AND HUMAN
SERVICES v. NENG H.
The orders of the juvenile court are affirmed.
BUTZ, J.
We Concur: Nicholson, Acting P.J.
Robie, J.
- C059808** **THE PEOPLE v. VILLA**
BY THE COURT:
Appellant's petition for rehearing is denied.
SCOTLAND, P.J.

November 5, 2009

- C056450** **THE PEOPLE v. JAMES BATES** **(Not For Publication)**
The judgment is affirmed.
SCOTLAND, P.J.
We Concur: Blease, J.
Nicholson, J.

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Court Minutes

November 5, 2009, Continued

- C059528 THE PEOPLE v. (Not For Publication)**
TEDDY LEE CRAWFORD
 The judgment is affirmed. The superior court is directed to prepare a corrected abstract of judgment consistent with the judgment and to send a certified copy of the corrected abstract of judgment to the Department of Corrections and Rehabilitation.
 NICHOLSON, J.
We Concur: Sims, Acting P.J.
 Cantil-Sakauye, J.
- C059644 THE PEOPLE v. (Not For Publication)**
CARLA JEAN KLEIN
 The imposition of a prison sentence is reversed. The trial court is directed to modify the minute order of probation to reflect that the imposition of defendant's sentence is suspended pending successful completion of the Proposition 36 program. The judgment is in all other respects affirmed.
 BLEASE, J.
We Concur: Scotland, P.J.
 Cantil-Sakauye, J.
- C060068 THE PEOPLE v. (Not For Publication)**
JOHN LEWIS JANELLI
 The judgment is affirmed.
 BLEASE, Acting P.J.
We Concur: Sims, J.
 Robie, J.
- C060213 THE PEOPLE v. (Not For Publication)**
MILES EDGAR STARK
 The order requiring defendant to register as a sex offender is reversed. ... In all other respects the judgment is affirmed.
 SCOTLAND, P.J.
We Concur: Raye, J.
 Butz, J.
- C060950 THE PEOPLE v. (Not For Publication)**
STEVE THOMAS STARR
 The judgment is affirmed.
 BLEASE, Acting P.J.
We Concur: Nicholson, J.
 Cantil-Sakauye, J.

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Court Minutes

November 5, 2009, Continued

- C061680 THE PEOPLE v. JERMAIN GILES (Not For Publication)**
The judgment is affirmed.
BUTZ, J.
We Concur: Raye, Acting P.J.
Cantil-Sakauye, J.
- C058592 LOPEZ, a Minor, etc., et al. v. (Not For Publication)**
DAIMLER CHRYSLER CORPORATION,
et al.; DEPARTMENT OF HEALTH CARE
SERVICES
The judgment is affirmed. Lopez shall recover costs on appeal.
RAYE, J.
We Concur: Scotland, P.J.
Robie, J.
- C058270 SCHMIDLI et al. v . PEARCE et al. (Certified For Publication)**
THE COURT:
It is ordered that the opinion filed herein on October 13, 2009, be
modified...
This modification does not change the judgment.
THE COURT:
BLEASE, Acting P.J.
Nicholson, J.
Robie, J.
- C058676 CRAWFORD v. ST. PAUL FIRE AND MARINE INSURANCE COMPANY**
BY THE COURT:
Respondent's request to publish the opinion filed on October 6, 2009, is
denied.
RAYE, Acting P.J.
- C063004 PHILLIPS v. COUNTY OF SACRAMENTO et al.**
BY THE COURT:
Appellant's motion filed on November 2, 2009, to reinstate the appeal is
granted. The order filed on October 22, 2009, dismissing the appeal is vacated,
and the appeal is reinstated. ...
SCOTLAND, P.J.

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Court Minutes

November 6, 2009

C057255 THE PEOPLE v. (Not For Publication)
JAMES CALVIN GAINES

The trial court is directed to correct the abstract of judgment to reflect 391 days of presentence credits, 194 days of conduct credits, and a sentence of life in prison with the possibility of parole, and to send a certified copy of said corrected abstract to the Department of Corrections and Rehabilitation. In all other respects, the judgment is affirmed.

RAYE, J.

We Concur: Nicholson, Acting P.J.
 Cantil-Sakauye, J.

C060206 In re D.G.; THE PEOPLE v. D.G. (Not For Publication)

The probation order is modified to state as a probation condition that D.G. "not associate with any person whom you know is deemed undesirable by Probation or your parents." The juvenile court is directed to forward a certified copy of the modified probation order to the probation authorities. As so modified, the judgment (order) is affirmed.

SIMS, Acting P.J.

We Concur: Nicholson, J.
 Cantil-Sakauye, J.

C061209 In re M.C.; THE PEOPLE v. M.C. (Not For Publication)

The judgment is affirmed.

Blease, Acting P.J.

We Concur: Robie, J.
 Cantil-Sakauye, J.

C058521 THE PEOPLE v. JOSE KELLY MUNOZ (Certified For Partial Publication)
THE COURT:

Respondent's request to modify this court's opinion is granted. It is ordered that the opinion filed herein on October 13, 2009, be modified...

This modification makes no change in the judgment.

BY THE COURT:

SIMS, Acting P.J.

Raye, J.

Cantil-Sakauye, J.

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Court Minutes

November 6, 2009, Continued

- C055954 MALDONADO v. CLUB FRESH**
BY THE COURT:
Respondent's request to publish the opinion filed on October 9, 2009, is denied.
SCOTLAND, P.J.
- C055954 MALDONADO v. CLUB FRESH**
BY THE COURT:
Respondent's petition for rehearing is denied.
SCOTLAND, P.J.
- C062534 KARY v. STEVENS**
BY THE COURT:
Appellant's "Motion to Reinstate Appeal" is denied.
SCOTLAND, P.J.